

Response Dated March 6, 2008  
Serial No. 10/736,108

### REMARKS

The Examiner indicated that the claims should be restricted into two groups – a first group including 1-14 and 19-20 “drawn to a method of addressing a protocol data unit” and a second group including claims 15-18 “drawn to a method of discovering the presence of a network.” Applicant elects Group I, claims 1-14, and 19-20 with traverse.

The traversal of the restriction requirement is on two grounds. First, it appears that the claims in the second group may be mischaracterized. Specifically, group II was characterized as including a group of claims that are “drawn to a method of discovering the presence of a network,” while independent claim 15 actually recites a “method of discovering the presence of a network construct with a first capability on a communication network.” Thus, claim 15 is clearly directed to a method of discovering the presence of a “network construct with a first capability” not to discovering a network.

Second, the inventions set forth in the Groups are not separate, distinct, and independent. For example, the method steps recited in claim 15 are similar, albeit somewhat differently worded, to the method steps recited in claim 6 (which necessarily includes the steps of claim 1). Specifically, the method recited in claim 15 includes the steps of “flooding a protocol data unit addressed to the first capability on the communication network; and listening for a response to the protocol data unit.” The method recited in claim 6 (which includes the steps of claim 1) includes the steps of “generating a protocol data unit that contains as an address at least one capability of the network construct”, “issuing the protocol data unit onto the communication network”, and “listening for a reply to the protocol data unit from the communication network.” Thus, although these two claims are different, the steps recited in the two claims are fairly similar.

In this context, applicant respectfully submits that examination of dependent claim 6 in Group I would require a search very similar to that needed to be performed to search independent claim 15 in Group II. Accordingly, in this instance, applicant respectfully requests the Examiner to reconsider the restriction requirement and allow all claims to be examined in one application.

### Conclusion

Applicant respectfully traverses the restriction requirement and requests that the

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Examiner withdraw the restriction requirement. However, if the Examiner maintains the restriction requirement, applicant would like to elect Group I for examination.

Applicant would be happy to discuss this application with the Examiner, either before a search is performed or thereafter, to help focus and accelerate prosecution. Thus, if the Examiner believes a telephone interview would further prosecution of this application, the Examiner is invited to contact the undersigned at the number indicated below.

If any fees are due in connection with this filing, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref: NN-16540).

Respectfully Submitted



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